

Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

VALVE CORPORATION, a Washington  
corporation,

Plaintiff,

v.

SIERRA ENTERTAINMENT, INC. (AKA  
SIERRA ON-LINE, INC.), a Delaware  
Corporation; VIVENDI UNIVERSAL  
GAMES, INC., a Delaware Corporation; and  
VIVENDI UNIVERSAL, S.A., a French  
foreign corporation,

Defendants.

SIERRA ENTERTAINMENT, INC. (AKA  
SIERRA ON LINE, INC., a Delaware  
corporation; and VIVENDI UNIVERSAL  
GAMES, INC., a Delaware corporation,

Counter-Claimants,

v.

VALVE CORPORATION, a Washington  
Corporation; GABE NEWELL and LISA  
MENNET NEWELL, husband and wife, and  
the marital community composed thereof;  
and SCOTT LYNCH and JULIE LYNCH,  
husband and wife, and the marital community  
composed thereof,

Counterclaim Defendants.

No. C 02-1683Z

*CORRECTED* [PROPOSED] ORDER  
GRANTING PLAINTIFF VALVE  
CORPORATION'S CROSS-MOTION  
FOR PARTIAL SUMMARY  
JUDGMENT RE CYBERCAFE  
RIGHTS

*CORRECTED* [PROPOSED] ORDER GRANTING PLAINTIFF  
VALVE CORPORATION'S CROSS-MOTION FOR PARTIAL  
SUMMARY JUDGMENT RE CYBERCAFE RIGHTS - 1  
Case No. C02-1683Z

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1 THIS MATTER having come on for hearing before the undersigned Judge of the  
2 above-entitled Court, and the Court having considered the moving and responding papers of  
3 both Plaintiff's Cross-Motion to for Summary Judgment and Defendants' Motion for  
4 Summary Judgment, the relevant supporting declarations, and other pleadings on file herein,  
5 the Court grants Plaintiff's Cross-Motion for Summary Judgment and denies Defendants'  
6 Motion for Summary Judgment.

7 **ORDER**

8 IT IS ORDERED, Defendants' Motion to for Summary Judgment Regarding  
9 Cybercafé Rights is DENIED and Valve's Cross-Motion for Summary Judgment Regarding  
10 Cybercafé Rights is GRANTED.

11 DATED this \_\_\_\_ day of \_\_\_\_\_, 2004.

12  
13 \_\_\_\_\_  
14 Judge Thomas S. Zilly  
United States District Court Judge

15 Presented by:

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22 Attorneys for Plaintiff  
23 Valve Corporation  
24  
25  
26

**CERTIFICATE OF SERVICE**

I hereby certify that on September 23, 2004, I caused to be electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

**Annette L. Hurst**

**Linda Q. Foy**

**Sarah M. King**

**Michael R. Scott**

s/Karl J. Quackenbush  
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